



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN DOUGLAS GIBSON,

Defendant.

2:21-CR-116-GMN-VCF

Preliminary Order of Forfeiture

This Court finds John Douglas Gibson pled guilty to Counts Two and Four of a Five-Count Criminal Indictment charging him in Count Two with possession of 15 or more counterfeit and unauthorized access devices in violation of 18 U.S.C. § 1029(a)(3) and in Count Four with aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1) with 1028A(c)(4). Criminal Indictment, ECF No. 7; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds John Douglas Gibson agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 7; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offenses to which John Douglas Gibson pled guilty.

The following property is any personal property used or intended to be used to commit the violations of 18 U.S.C. § 1029(a)(3) and 18 U.S.C. § 1028A(a)(1) with

1 1028A(c)(4) and is subject to forfeiture pursuant to 18 U.S.C. § 1029(c)(1)(C) with
2 1029(c)(2):

- 3 1. Samsung Galaxy S9 Cellular Telephone (IMEI: 356915091064195)
4 (property).

5 This Court finds that on the government's motion, the Court may at any time enter
6 an order of forfeiture or amend an existing order of forfeiture to include subsequently
7 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
8 32.2(b)(2)(C).

9 This Court finds the United States of America is now entitled to, and should, reduce
10 the aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
12 DECREED that the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
14 rights, ownership rights, and all rights, titles, and interests of John Douglas Gibson in the
15 aforementioned property are forfeited and are vested in the United States of America and
16 shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
18 of America shall publish for at least thirty (30) consecutive days on the official internet
19 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
20 describe the forfeited property, state the time under the applicable statute when a petition
21 contesting the forfeiture must be filed, and state the name and contact information for the
22 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
23 and 21 U.S.C. § 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
25 or entity who claims an interest in the aforementioned property must file a petition for a
26 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
27 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
28 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's

1 right, title, or interest in the forfeited property and any additional facts supporting the
2 petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
4 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
5 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
6 not sent, no later than sixty (60) days after the first day of the publication on the official
7 internet government forfeiture site, www.forfeiture.gov.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
9 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
10 Attorney's Office at the following address at the time of filing:

11 Daniel D. Hollingsworth
12 Assistant United States Attorney
13 James A. Blum
14 Assistant United States Attorney
15 501 Las Vegas Boulevard South, Suite 1100
16 Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
18 described herein need not be published in the event a Declaration of Forfeiture is issued by
19 the appropriate agency following publication of notice of seizure and intent to
20 administratively forfeit the above-described property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
22 copies of this Order to all counsel of record.

23 DATED June 7, 2022.

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25 _____
26 GLORIA M. NAVARRO
27 UNITED STATES DISTRICT JUDGE
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